



City of Chicopee, Massachusetts

License Commission

Donald Goulette, Chairman
Robert Borowiec
James Grise
Donald Derosia
Daniel Taney

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Minutes for September 26, 2012

In attendance: Chairman Goulette, Commissioners Borowiec, Grise, Derosia and Taney. Also Atty. Rooke was present.

Minutes for August are presented to the Board. Commissioner Borowiec makes a motion to approve. Commissioner Taney seconds. Motion approved 5-0.

Hearing for Maximum Capacity, 116 School St. In attendance: Officer Mark Hammon, Atty. Jeff Guiel, Don Robert, Sr and Don Robert, Jr. Officer Hammon read his report to the Board. Atty. Guile submits a document from Capt. Muise that states Maximum Capacity did not serve the individual in the report. Officer Hammon further states that he does not feel the bar is responsible for this incident. There was security in place to prevent any illegalities. He was in the upstairs area that night and this individual was not in there. There was no alcohol allowed in the upstairs area and there is no proof this individual was drinking there. Commissioner Grise inquires about an incident report. Mr. Robert, Sr states that this was the information that was submitted. They use incidents reports as the Commission has previously suggested. Commissioner Borowiec makes a motion that there is no evidence of a finding. Commissioner Taney seconds. Motion approved 5-0.

Hearing for Pulaski Hall, 13 Norman St. In attendance: Officer Hamilton Wray and Mitch Nowak. Officer Wray reads Officer Naglieri's report to the Board. Atty. Rooke recommends that the hearing be postponed until Officer Naglieri is available. Also that Mr. Wright, a victim in this incident, is subpoenaed for the hearing. Officer Wray conveys his concerns about the rap entertainment and this incident to the Commissioners. He has previously worked in Springfield as a police officer and is very familiar with gangs. He has seen how a small incident can spiral out of control and escalate into something very serious. Mr. Nowak has been very cooperative any time they have been to this establishment, although there is no security and he has had issues clearing the parking lot by himself. Mr. Nowak states that they have tried this entertainment a few times and they no longer will have this type of entertainment. Commissioner Derosia makes a motion to table this hearing. Commissioner Grise seconds. Motion approved 5-0.

Hearing for Hanks Variety, 457 Granby Rd -informational only. In attendance: Atty. Falken. Atty. Falken has requested an extension after speaking to Atty. Rooke. She will be submitting an application for a Transfer of License. Commissioner Borowiec makes a motion to table this hearing until the application is submitted. Commissioner Grise seconds. Motion approved 5-0.

Application for an Alteration of Premises for Rivoli, 41 Springfield St to include an additional 600 sq. ft of store front space. In attendance: Konrad Wargulewski. Mr. Wargulewski informs the Board that his lawyer, Atty. Caruso has met with several city departments to determine what the best scenario is to utilize a store front in the building. He will have to sprinkler the theater in order to be compliance with state laws to use any part of the theater. Atty. Rooke has spoken with Atty. Caruso and he will be submitting an application for a transfer of the license to the store front. Atty. Rooke recommends tabling this hearing until an application has been submitted. Commissioner Derosia makes a motion to table the matter. Commissioner Taney seconds. Motion approved 5-0

Application for a Change of Officers/Directors, Issuance of Stock, Transfer of Stock and New Stockholder for Windsor Café, 101 Main St with Michael Deady as manager. In attendance: Atty.

Sarnacki and Michael Deady. Atty. Sarnacki informs the Board that this is a standard transfer of stock from one family generation to another. All the paperwork is in order. Commissioner Borowiec makes a motion to approve. Commissioner Grise seconds. Motion approved 5-0.

Application for a Change of Officers/Directors, Issuance of Stock, Transfer of Stock and New Stockholder for 99 Restaurants & Pubs, 555 Memorial Dr with Holly Carroll as manager. Commissioner Derosia makes a motion to table the matter. Commissioner Taney seconds. Motion approved 5-0

Consideration of instituting a requirement for a Certificate of Good Standing in order to renew a license. Atty. Rooke informs the Board that this Certificate is issued by the state and shows that the licensee is in compliance with all state laws and all taxes are current. Commissioner Derosia makes a motion to approve the new requirement for the 2013 renewals and set a 30 day limit for submitting the certificate if there are any issues for a licensee to obtain one. Commissioner Grise seconds the motion. Motion approved 5-0.

Consideration of 2013 filing fees. At this time the Commission will not make any changes.

Application for a Common Victualer for Kava Press Coffee House, 57 Springfield St with Lyudmila Shumska as manager (new) Commissioner Derosia makes a motion to approve. Commissioner Grise seconds. Motion approved 5-0

Application for a Common Victualer for Making Mama's Milk & More, 242 Grove St with Dori Acevedo as manager (new) Commissioner Derosia makes a motion to approve. Commissioner Borowiec seconds. Motion approved 5-0

Application for a Common Victualer for Jimmy's Dog House, 930 Chicopee St with Jennifer Beattie as applicant (new). Commissioner Derosia makes a motion to approve pending a payment arrangement made by property owner. The property owner will have until October 5, 2012 to rectify this matter. Commissioner Grise seconds. Motion approved 5-0

Application for a Common Victualer for Princesa Deli Market, 95 School St with Santo Alcantara as manager (new). Commissioner Borowiec makes a motion to approve. Commissioner Grise seconds. Motion approved 5-0

Application for a Common Victualer for Yogurt City, 530 C Memorial Dr with Tao Lin as manager (new). Commissioner Derosia makes a motion to approve. Commissioner Taney seconds. Motion approved 5-0

Application for a Mobile Common Victualer for #1 Hot Dogs with Neal Nietupski as manager/owner (new). Commissioner Derosia makes a motion to approve. Commissioner Grise seconds. Motion approved 5-0

Application for an Automatic Amusement (1 Skill Touch) for Kamy's Food Mart, 817 Front St with Kamy Sanghvi as manager. Commissioner Grise makes a motion to approve. Commissioner Derosia seconds. Motion approved 5-0

Application for an Automatic Amusement (1 Skill Touch) for Iris Market, 720 Chicopee St with Agustin Ramos as manager. Commissioner Borowiec makes a motion to approve. Commissioner Grise seconds. Motion approved 5-0

Application for a Special Event for an 18+ College Night to be held at Maximum Capacity, 116 School St on October 25, November 1, November 8 and November 15, 2012 with Donald Robert, Jr as applicant Commissioner Derosia makes a motion to approve. Commissioner Grise seconds. Motion approved 5-0

Application for a Special Event for a 18+ Halloween Party with Danny Pease and the Regulators to be held at Maximum Capacity, 116 School St on October 31, 2012 with Donald Robert, Jr as applicant. The application has been withdrawn per applicant's request.

Application for a Special One Day Permit (Beer/Wine) for Patti's Four-Ten, 32 Quincy Ave for a Golf Tournament to be held on October 20, 2012 from 10:00 AM until 10:00 PM with Patti Bousquet as applicant (Area will be contained and monitored). Commissioner Derosia makes a motion to approve. Commissioner Taney seconds. Motion approved 5-0

Application for a Special One Day Permit (Beer/Wine) for the Boys and Girls Club, 580 Meadow St for the Annual Charity Auction to be held on October 25, 2012 from 6:00 PM until 9:00 PM with Jason Reed as applicant. Commissioner Derosia makes a motion to approve and waive the fee. Commissioner Grise seconds. Motion approved 5-0

Application for a Special One-Day Permit (Wine & Malt) for St. Stanislaus , 534 Front St for the Annual Bazaar to be held on Saturday October 13 from 12:00 PM until 8:00 PM and Sunday October 14 from 11:00 AM until 6:00 PM with Father Michael Zielke as applicant Commissioner Grise makes a motion to approve and waive the fee. Commissioner Derosia seconds. Motion approved 5-0.

Filing Fees are read by Commissioner Grise.